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Via Electronic Filing

January 5, 2012

Marlene H. Dortch
Secretary
Federal Communications Commission
445 Twelfth St., S.W.
Washington, DC 20554

Re: Notice of Ex Parte Presentation – MB Docket No. 11-154

Dear Ms. Dortch:

This is to notify you that on January 5, 2012, Brian Markwalter and the undersigned, both of CEA, spoke by telephone with Jessica Almond, Special Counsel to Chairman Genachowski.

During the call, CEA reiterated its views regarding interconnection mechanisms.¹ We explained that the Commission must narrowly interpret the scope of the CVAA's interconnection requirements.² The CVAA correctly exempts display-only video monitors with no playback capability from the closed captioning rules.³ HDMI is a video monitor interface in that all video processing takes place in the source device. Because CE devices used with HDMI are acting as video monitors, we believe that the Commission must allow rendering in the source device prior to transmitting the video signal. Further, we note that the Commission correctly reached this conclusion in the NPRM when it stated: "However, based on our requirements, those devices connected to the television or monitor via HDMI or component video would be required to render the captions prior to transmitting the video signal."⁴ In sum, the CVAA allows captions to be decoded in the source device and the language in Section 303(z)(2) clearly reflects this.

¹ See Comments of CEA, MB Docket No. 11-154 (filed Oct. 18, 2011) ("CEA Comments"); Reply Comments of CEA, MB Docket No. 11-154 (filed Nov. 1, 2011) ("CEA Reply Comments"); See also, CEA *Ex Parte* Notices (filed Nov. 4, 2011 and Nov. 14, 2011).

² 47 U.S.C. § 303(z)(2).

³ 47 U.S.C. § 303(u)(2)(B).

⁴ *Closed Captioning of Internet Protocol-Delivered Video Programming: Implementation of the Twenty-First Century Communications and Video Accessibility Act of 2010*, MB Docket No. 11-154, Notice of Proposed Rulemaking, FCC 11-138 (rel. Sept. 19, 2011) ("NPRM"), at ¶ 55.

As we proposed in our November 16, 2011 ex parte notice⁵ and in order to encompass the above points and to provide greater clarity for manufacturers, CEA proposes the following language for inclusion in the Commission's final rules:

“Every video output of a covered device must be capable of rendering or passing through closed captions when delivering “video programming”, as defined by the CVAA.”

The CVAA clearly permits the rendering of captions in the source device and providing them as open captions to the display. We believe that rendering in the source device is the method of compliance for uncompressed digital video connections.

Pursuant to Section 1.1206 of the Commission's rules,⁶ this letter is being electronically filed with your office and a copy of this submission is being provided to the meeting attendees. Please let the undersigned know if you have any questions regarding this filing.

Respectfully submitted,

/s/ Julie M. Kearney

Julie M. Kearney
Vice President, Regulatory Affairs

cc: Jessica Almond

⁵ See CEA *Ex Parte* Notice (filed November 16, 2011).

⁶ 47 C.F.R. § 1.1206.